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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,457	10/15/2004	Peter Neumann	112740-1017	9884
29177 7590 04/10/2007 BELL, BOYD & LLOYD, LLP P.O. BOX 1135 CHICAGO, IL 60690			EXAMINER DOAN, KIET M	
			ART UNIT	PAPER NUMBER
			2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/511,457	<b>Applicant(s)</b> NEUMANN, PETER	
	<b>Examiner</b> Kiet Doan	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/15/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 9-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustafsson (Patent No. 6,351,647) in view of Hoirup et al. (Patent No. 6,397,054).

Consider **claim 9, 15, 16**. Gustafsson teaches a method for controlling establishment of connections to mobile stations present in an area hit by a disaster, the method comprising:

transmitting a sequence in a message sent to the mobile stations in at least one cell of a mobile radio network present in the area (C2, L45-67, C3, L1-18, C3, I38-50, Fig.2, Illustrate transmitting broadcast SMS from BST to MS which read on transmitting a sequence in a message sent to the mobile stations)

and providing that a connection only be established from a mobile station in the area to a destination called by the mobile station if the mobile station requesting the connection establishment communicates the sequence (C3, L30-30, C4, L9-18, Fig.3, Illustrate MS requesting connection through SMS from MS to BST).

It would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Gustafsson system, such that in an area of disaster, transmitting a sequence in a message sent to the mobile stations when the

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mobile station requesting the connection establishment communicates the sequence to provide means for the users capable of transmitting short message during emergency and avoiding overload communication in the a disaster area. Since Gustafsson teach all the limitation of claims 9, 15 and 16 but silent on "disaster area". However, Hoirup (Patent No.6,397,054) teach "Emergency call and short message", Further teach users place emergency call using short message Column 2, lines 65-67, column 3, lines 1-8 as indicated and interpreted as establishment of connections to mobile stations present in an area hit by a disaster.

Consider **claim 10**. Gustafsson teaches a method for controlling establishment of connections to mobile stations as claimed in claim 9, wherein the sequence is transmitted as a cell broadcast short message (C5, L20-26, C6, L32-37).

Consider **claim 11**. Hoirup teaches a method for controlling establishment of connections of mobile stations as claimed in claim 9, wherein the sequence is transmitted as a circuit switched group call (C3, L35-55 teach MSC in the system with can transmitted as a circuit switched group call).

Consider **claims 12, 13**. A method for controlling establishment of connections of mobile stations as claimed in claim 9, wherein the transmission of the sequence occurs via an SIM application toolkit of a mobile station, the SIM application toolkit prompting the mobile station to transmit data representing at least one of a telephone number of the mobile station and a terminal number of the mobile radio to one of the mobile radio

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network and a destination (the office take office notice and well know in the art that mobile device contain SIM card which representing telephone number of the mobile station and subscriber ID number of the mobile station) .

Consider **claim 14**. Hoirup teaches a method for controlling establishment of connections of mobile stations as claimed in claim 9, further comprising scanning at least one of telephone numbers and mobile station device numbers of the mobile stations in the area to substantially ascertain which of the mobile stations are present in the area (C4, LI55-67, C5, L1-19).

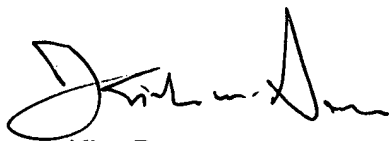
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kiet Doan  
Patent Examiner



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER